IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 352 of 1998

Between:

Edere Narayana S/o Late Lokaiah, aged about 64 years, occ: Agriculture,
R/o Doultabad Mandal and Proper, District Mahaboobnagar.

..... PETITIONER

AND

1 The State of A.P. rep. by the Chief Secretary, Revenue Department, Secretariat, Hyderabad.
2 The District Collector, Mahaboobnagar District.
3 The Mandal Revenue Officer, Doultabad Mandal, Dist. Mahaboobnagar.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or direction particularly writ of Mandamus directing the action of the respondent No.3 in interfering over the land of the petitioner in Sy.No.531/E/1, measuring 2 Acres 70 Cents dry wherein more than 10,000 eucalyptus trees are there situated at Doultabad Mandal and Proper, Mahaboobnagar District without acquiring the same as per the Provisions of the Land Acquisition Act as illegal, highhanded and arbitrary.

For the Petitioner: MR.BAJRANG SINGH THAKUR, Advocate

For the Respondent Nos.1 to 3 : GP FOR REVENUE

The Court made the following :

ORAL ORDER

The grievance of the petitioner is that originally he entered into an agreement of sale on 2-7-1964 with regard to Survey No. 531, admeasuring Ac. 5.17 gts. situated at Doultabad and later a regular sale deed was registered on 16.10.1989 by the owner for an extent of Ac.2.35 gts. So far as the plot is concerned, it was acquired by the Government for the purpose of laying a road. The apprehension of the petitioner is that the Government is trying to acquire this Ac. 2.35 gts. of land unauthorisedly without initiating proceedings under the Land Acquisition Act and thus approached this Court by filing the present writ petition.

The learned Assistant Government Pleader appearing for the respondents, basing on the instructions, has submitted that the respondents are not having any proposals to acquire the land purchased by the petitioner in survey No. 531/E/1.

In the light of the said submission, no further orders are required to be passed in this writ petition. However, if the Government wants to acquire the land in an extent of Ac. 2.35 gts. situated in survey No. 531/E/1 belonging to the petitioner, they may do so only after initiating proceedings under the Land Acquisition Act.

This writ petition is accordingly disposed of. No costs.

_____ 6th December, 2004

vp

ASST. REGISTRAR

//true copy//

SECTION OFFICER

To

1. The Chief Secretary, Revenue Department, Govt. of A.P. Secretariat, Hyderabad,
2. The District Collector, Mahaboobnagar District,
3. The Mandal Revenue Officer, Doultabad mandal, District Mahaboobnagar,
4. 2 C.Cs to Govt. Pleader for Revenue, High Court buildings, Hyderabad (O.U.T.)
5. 2 C.D. copies.